Preparatory Committee for the 2005 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

4 May 2004

Original: English

Third session
New York, 26 April-7 May 2004

Implementation of the Treaty on the Non-Proliferation of Nuclear Weapons

Report submitted by Austria

Article I:

Austria regards the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) as the cornerstone of the global non-proliferation regime and the essential foundation for the pursuit of nuclear disarmament. Thus, Austria continues to call upon nuclear-weapon States not to provide assistance or encouragement to States that may seek to acquire nuclear weapons or other nuclear devices.

Article II:

Austria continues to abide by her commitment not to receive the transfer of, receive control over, manufacture or otherwise acquire nuclear weapons or other nuclear explosive devices. This commitment is implemented by the 1999 constitutional law on a nuclear-free Austria and by corresponding laws and regulations.

Article III:
Safeguards:

Before Austria's accession to the European Union, the requirement of article III, paragraph 1 was fulfilled by the Safeguards Agreement of 1972 between Austria and the International Atomic Energy Agency. Upon accession to the EU in 1995, the Safeguards Agreement between EURATOM, the EU non-nuclear weapon States and the IAEA entered into force for Austria and the 1972 Safeguards Agreement was suspended.

Austria has been at all times actively engaged in the process of strengthening the IAEA safeguards system, to which it attaches utmost importance.

04-33761 (E) 060504

With regard to the Additional Protocol between EURATOM, the EU non-nuclear-weapon States and the IAEA, which was signed in September 1998, Austria concluded all necessary steps on national level for entry-into-force in 2001. The Additional Protocols for the EU member States entered into force simultaneously on 30 April 2003.

Austria is a member of the informal group "Friends of the Additional Protocol" convened by Japan, which is working actively towards the universalisation of comprehensive safeguards agreements and additional protocols.

Austria considers the Additional Protocol to be an integral part of the IAEA's NPT safeguards system and the conclusion of an additional protocol to be mandatory under Article ifi of the Treaty.

Export controls:

Austria implements its obligation under article III, paragraph 2 of the Treaty - not to provide source or special fissionable material, or equipment or material especially designed or prepared for the processing, use or production of special fissionable material, to any non-nuclear-weapon State for peaceful purposes, unless the source or special fissionable material shall be subject to the safeguards required by this Article - , by controlling its exports in accordance with EU Council regulation (EC) 1334/2000 as amended.

Austria is a member of both the Zangger Committee and the Nuclear Suppliers Group. Since 1993 the Zangger Committee has been chaired by Dr. Fritz W. Schmidt of Austria. Under his chairmanship the Committee has recently launched an outreach programme and opened a website (www.zanggercommittee.org) to enhance transparency and foster dialogue with non-members.

In Austria's view an effective export control system facilitates co-operation for peaceful purposes in the nuclear field.

Physical Protection

Austria attaches great importance to a high level of physical protection of nuclear material and nuclear facilities. It has actively participated in the Open-Ended Group of Legal and Technical Experts convened by the Director General of the IAEA to prepare a well-defined amendment to the Convention on the Physical Protection of Nuclear Material. In September 2003, the Austrian Foreign Minister has taken the initiative to submit an amendment proposal based on the outcome of the Expert Group to the IAEA Director General with the request to convene a diplomatic conference for its adoption. This amendment proposal will be submitted to the IAEA Director General on behalf of Austria and of some 25-30 States Parties in May 2004.

In Austria's view, physical protection is part of the national nuclear security system that has to be required as a condition for nuclear supplies in 2002 and 2003, respectively.

Article IV:

Following a referendum in 1978, Austria has renounced the use of nuclear energy for power generation and does not operate nuclear power plants. In view of the high risks emanating from nuclear installations, Austria attaches utmost importance to international efforts to harmonize and steadily increase all aspects of nuclear safety. Austria is party to both the Convention on Nuclear Safety as well as the Joint Convention on the Safety of Spent Fuel Management and the Safety of Radioactive Waste Management and has actively participated in the Review Conferences of these Conventions.

Article V:

The Final Document of the 2000 Review Conference affirms that the provisions of Article V are to be interpreted in the light of the Comprehensive Nuclear-Test-Ban Treaty (CTBT). Austria signed the CTBT on 24 September 1996 when opened for signature and deposited her instrument of ratification on 13 March 1998. In advance of the 2003 Article XIV Conference to Facilitate Entry-into-Force of the CTBT held from 3-5 September 2003 in Vienna, the Foreign Ministers of Austria, Finland and Japan wrote to all their counterparts in all non-ratified states and urged them to sign and/or ratify the Treaty. Furthermore, Austria fully supports the work of the CTBTO Preparatory Commission and its Provisional Technical Secretariat and attaches particular importance to the swift establishment of the Treaty's international verification system. Austria hosts one radionuclide laboratory (ATLO3) at the Austrian Research Centers Seibersdorf, which was certified as the first of 16 radionuclide laboratories worldwide already in November 2001.

Article VI:

Austria's objective has been and remains the complete elimination of nuclear weapons. Consequently, Austria continues to call upon all nuclear-weapon States to comply fully with their obligations under Article VI. Austria accords high priority to the 13 Practical Steps towards nuclear disarmament which were agreed to at the 2000 Review Conference. While acknowledging and welcoming progress in the reduction of nuclear weapons, Austria urges nuclear-weapon States to fully implement all 13 Practical Steps which serve as an important yardstick against which progress in the fulfillment of Article VI can be measured.

In view of the obligations of all NPT Parties to strive for general and complete disarmament, Austria is also a State Party to the Biological and Toxin Weapons Convention, the Chemical Weapons Convention, the Anti-Personnel Landmines Convention, the Certain Conventional Weapons Convention and the Outer Space Treaty and spares no efforts to fully implement them.

Article VII:

Austria welcomes and encourages progress to develop and implement nuclear weapon free zone agreements consistent with international law and internationally-agreed criteria.

Article VIII:

The indefinite extension of the NPT and accompanying decisions in 1995 included a commitment to a strengthened review process. In this regard, Austria attaches particular importance to enhancing the performance of and accountability under the Treaty, in particular by submitting reports on the implementation of the Treaty to the meetings of the Preparatory Committee as well as to the Review Conferences.

Article IX:

Austria attaches high importance to the universalisation of the Treaty and continues to urge India, Israel and Pakistan to accede unconditionally to the NPT as non-nuclear-weapon States in accordance with Article IX.

Article X:

Austria deplored the announcement of the Democratic People's Republic of Korea on 10 January 2003 of its intention to withdraw from the NPT. Austria continues to urge the DPRK to reverse its decision and to comply fully with all nuclear non-proliferation norms, in particular with its obligations contained in the NPT safeguards agreement with the IAEA, and to dismantle its nuclear weapons programme in a complete, verifiable and irreversible manner.